

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

EmployBridge, LLC and Employment  
Solutions Management, Inc.,

Plaintiffs,

vs.

CIVIL NO. 1:16-cv-00833

Riven Rock Staffing, LLC, et al.,

Defendants.

**PLAINTIFFS' RULE 26(A) DISCLOSURES**

Plaintiffs, EmployBridge, LLC and Employment Solutions Management, Inc. (collectively, "EmployBridge"), by their attorneys, Seyfarth Shaw, LLP, disclose the following information pursuant to Federal Rule of Civil Procedure 26(a).

**1. Rule 26(a)(1)(A)(i)**

EmployBridge states that the following individuals are likely to have discoverable information that may be used to support EmployBridge's claims in this matter:

- Defendant Shaun Shepherd  
c/o Defendants' counsel  
Mr. Shepherd is expected to have knowledge regarding his employment with EmployBridge, his resignation from EmployBridge and employment with Riven Rock, his competitive activities on behalf of Riven Rock, his possession or use of EmployBridge property following the resignation of his employment with EmployBridge, and the contentions in his declaration submitted in opposition to Plaintiffs' Motion for TRO.
- Defendant Catherine Olinger  
c/o Defendants' counsel  
Ms. Olinger is expected to have knowledge regarding her employment with EmployBridge, her resignation from EmployBridge and employment with Riven Rock, her competitive activities on behalf of Riven Rock, her possession or use of EmployBridge property following the resignation of her employment with EmployBridge, and the contentions in her declaration submitted in opposition to Plaintiffs' Motion for TRO.

- Defendant Terry Miller  
c/o Defendants' counsel  
Mr. Miller is expected to have knowledge regarding his employment with EmployBridge, his resignation from EmployBridge and employment with Riven Rock, his competitive activities on behalf of Riven Rock, his possession or use of EmployBridge property following the resignation of his employment with EmployBridge, and the contentions in his declaration submitted in opposition to Plaintiffs' Motion for TRO.
- Defendant Timothy Jacquez  
c/o Defendants' counsel  
Mr. Jacquez is expected to have knowledge regarding his employment with EmployBridge, his resignation from EmployBridge and employment with Riven Rock, his competitive activities on behalf of Riven Rock, his possession or use of EmployBridge property following the resignation of his employment with EmployBridge, and the contentions in his declaration submitted in opposition to Plaintiffs' Motion for TRO.
- Donyelle Rose  
Member  
Riven Rock, LLC  
c/o Defendants' counsel  
Ms. Rose is expected to have knowledge regarding the formation and business of Riven Rock, Riven Rock's hiring of Shepherd, Olinger, Miller, and Jacquez (the "Individual Defendants"), and the Individual Defendants' competitive activities on behalf of Riven Rock.
- Ashkan Abtahi  
Member  
Riven Rock, LLC  
c/o Defendants' counsel  
Ms. Abtahi is expected to have knowledge regarding the formation and business of Riven Rock, Riven Rock's hiring of the Individual Defendants, and the Individual Defendants' competitive activities on behalf of Riven Rock.
- Terrie Doty  
Ms. Doty is expected to provide testimony regarding the allegations in her declaration submitted in opposition to Plaintiffs' Motion for TRO.
- Julie Maydew  
Employment Solutions Management, Inc.  
Regional Vice President  
c/o Plaintiffs' counsel  
Ms. Maydew is expected to have knowledge regarding Shepherd's and Olinger's employment with EmployBridge, the harm caused to Plaintiffs by Defendants' competitive activities and the allegations in her declarations submitted in support of Plaintiffs' Motion for TRO.

- Jalayne Billingham  
Employment Solutions Management, Inc.  
Branch Manager  
c/o Plaintiffs' counsel  
Ms. Billingham is expected to have knowledge regarding the harm caused to Plaintiffs by Defendants' competitive activities and the allegations in her declaration submitted in support of Plaintiffs' Motion for TRO.
- Fran Scott  
Employment Solutions Management, Inc.  
Market Leader  
c/o Plaintiffs' counsel  
Ms. Scott is expected to have knowledge regarding Miller's and Jacquez's employment with EmployBridge, the harm caused to Plaintiffs by Defendants' competitive activities and the allegations in her declarations submitted in support of Plaintiffs' Motion for TRO.
- Kevin Cottingim  
Employment Solutions Management, Inc.  
Vice President of Human Resources  
c/o Plaintiffs' counsel  
Mr. Cottingim is expected to have knowledge regarding EmployBridge's process for obtaining electronic signatures on its employment agreements and the allegations in his declaration submitted in support of Plaintiffs' Motion for TRO.
- James Vaughn  
iDiscovery Solutions, Inc.  
535 Anton Blvd., Suite 850  
Costa Mesa, CA 92626  
Mr. Vaughn is Plaintiffs' computer forensics expert and is expected to have knowledge regarding the allegations in his declaration submitted in support of Plaintiffs' Motion for TRO.
- Michael Kelm  
c/o Defendants' counsel  
Mr. Kelm is expected to have knowledge regarding his solicitation of employment by employees of Riven Rock, the termination of his employment at EmployBridge, and subsequent contact with EmployBridge customers.
- Brian Ostenak  
Mr. Ostenak is expected to have knowledge regarding his solicitation of employment by employees of Riven Rock.
- Nicole Romero  
Ms. Romero is expected to have knowledge regarding her solicitation of employment by employees of Riven Rock.

- Amber Fluitt  
c/o Defendants' counsel  
Ms. Fluitt is expected to have knowledge regarding her employment at EmployBridge, her knowledge of EmployBridge's confidential information, her employment at Riven Rock, her solicitation of Lively Distributing and Keystone Automotive on behalf of Riven Rock, and the Individual Defendants' employment at Riven Rock and their solicitation of EmployBridge's customers.

**2. Rule 26(a)(1)(A)(ii)**

EmployBridge states that documents and electronically-stored information that may be used to support the claims of EmployBridge are kept on the servers and in files belonging to EmployBridge. EmployBridge states that such documents may include correspondence between Defendants, between Defendants and third parties, and between Defendants and representatives of EmployBridge. EmployBridge states further that it anticipates documents and electronically-stored information related to the claims of EmployBridge to be located on personal computing devices owned or used by the Defendants. EmployBridge further states that it anticipates documents and electronically-stored information related to the claims of EmployBridge to be in the possession of any EmployBridge customers contacted by the Defendants.

**3. Rule 26(a)(1)(A)(iii)**

EmployBridge states that its damages are estimated to exceed \$500,000 at this time, and that these damages are based upon lost customer accounts due to Defendants' wrongful competitive activity. Documents or other evidentiary material upon which EmployBridge has based its damages computation are in the possession of EmployBridge.

**4. Rule 26(a)(1)(A)(iv)**

EmployBridge states that it has no insurance agreements under which an insurance business may be liable to satisfy all or part of a judgment in this action.

DATED: September 6, 2016

Respectfully submitted,

/s/ Daniel P. Hart /

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